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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/834,833	04/13/2001	Ramaprakash H. Sathyanarayan	ORA010 US	4294
56135 7590 05/02/2007 SILICON VALLEY PATENT GROUP LLP 2350 MISSION COLLEGE BLVD. SUITE 360 SANTA CLARA, CA 95054			EXAMINER WOO, ISAAC M	
			ART UNIT 2166	PAPER NUMBER
			MAIL DATE 05/02/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

09/834,833

**Applicant(s)**SATHYANARAYAN,  
RAMAPRAKASH H.**Examiner**

Isaac M. Woo

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2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 February 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 4-19, 29-34, 36, 38, 39, 43 and 45-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1, 4-19, 29-34, 36, 38-39, 43 and 45-47 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to application, filed on February 01, 2007 has been considered but are deemed moot because of Restrictions Request below.

2. Claims 1, 4-19, 29-34, 36, 38-39, 43 and 45-47 are pending.

### ***Election/Restrictions***

3. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even through the requirement be traversed (37 CFR 1.143). Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1, 4-10, 19, 29-31, 34, 36, 38-39, 43 and 45, drawn for a parent process checking if a first item in the plurality is a file or a directory, the parent process conditionally copying the first item if the first item is found during the checking to be a file and alternatively creating a child process, after creation, the child process performs the checking, the conditionally copying and the alternatively creating, with another item in the directory represented by the first item, wherein the parent process performs the checking, the conditionally copying and alternatively creating,

with a second item in the plurality, which is generating database and data structure, classified in class 707, subclass 102.

- II. Claims 11-18 and 32-33, drawn for transferring data from the file into a temporary buffer, locking the temporary buffer, and invoking a direct memory access (DMA) process for making a copy from the temporary buffer, which is direct memory accessing, classified in class 711, subclass 112.
- III. Claims 46-47, drawn for the parent process conditionally copying the first item if the first item is found during the checking to be a file and alternatively creating a child process in the computer after changing a default limit on a resource to a maximum limit, after creation, the child process inherits the maximum limit and performs the checking, the conditionally copying and the alternatively creating, with another item in the directory represented by the first item, wherein after the creation, the parent process performs the checking, the conditionally copying and alternatively creating, with a second item in the list, wherein at least one of the parent process and the child process, allocates memory to hold at least a temporary buffer and a stack, stores in the stack an absolute path and a local path to said directory, which is configuring memory, classified in class 711, subclass 170.

4. The inventions are distinct, each from the other because of the following reasons:

Inventions I, II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instance case, invention I can be used for parent process checking if a first item in the plurality is a file or a directory, the parent process conditionally copying the first item if the first item is found during the checking to be a file and alternatively creating a child process, after creation, the child process performs the checking, the conditionally copying and the alternatively creating, with another item in the directory represented by the first item, wherein the parent process performs the checking, the conditionally copying and alternatively creating, with a second item in the plurality, which is generating database and data structure.

Invention II can be used for transferring data from the file into a temporary buffer, locking the temporary buffer, and invoking a direct memory access (DMA) process for making a copy from the temporary buffer, which is direct memory accessing. Invention III can be used for the parent process conditionally copying the first item if the first item is found during the checking to be a file and alternatively creating a child process in the computer after changing a default limit on a resource to a maximum limit, after creation, the child process inherits the maximum limit and performs the checking, the conditionally copying and the alternatively creating, with another item in the directory represented by the first item, wherein after the creation, the parent process performs the checking, the conditionally copying and alternatively creating, with a second item in the list, wherein at least one of the parent process and the child process, allocates memory

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to hold at least a temporary buffer and a stack, stores in the stack an absolute path and a local path to said directory, which is configuring memory. See MPEP 806.05(d).

5. Because these inventions are distinct for reasons given above and have acquired separate status in the art as shown their different classification, restriction for examination purpose as indicated is proper.

6. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II and III each other, restriction for examination purposes as indicated is proper.

7. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

8. Applicants are advised that the reply to this requirement to be complete must include an election of the invention to be examined even through the requirement be traversed (37 CFR 1.143).

9. Applicants is reminded that upon the cancellation of claims to be non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48 (b) if one or more of the currently named inventors is no longer an inventor of at least one claim

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remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48 (b) and by the fee required under 37 CFR 1.17 (i).

### **Conclusion**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IW

April 26, 2007

